

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2763 of 1980

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BHAILALBHAI PRABHUDAS PATEL

Versus

STATE OF GUJARAT

Appearance:

MR Kaushal Thaker for KS NANAVATI for Petitioners
None present for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 01/07/96

ORAL JUDGEMENT

1. Heard the learned counsel for the petitioners.
It is not in dispute that the land in question had been reserved in the revised sanction plan for public housing which shall be developed through detailed schemes providing for such housing including utility service and basic community facilities also, by Ahmedabad Municipal

Corporation, Ahmedabad Urban Development Authority, Gujarat Housing Board, Gujarat Slum Clearance Board and the State Government. The petitioners applied to the competent authority under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 for grant of exemption under sec. 20 of the said Act. This application has been rejected by the competent authority under its order dated 6th August, 1980 on the ground that the aforesaid land is reserved for the public purposes. The revised sanction plan has not been challenged by the petitioners. When the land in question has been reserved in the revised sanction plan for public housing under sec. 12(2)(k) of the Gujarat Town Planning And Urban Development Act, 1976, I fail to see any illegality in the order of the competent authority declining the above relief to the petitioners under sec. 20 of the Urban Land Ceiling Act. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged.
